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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/816,776	04/02/2004	Amitabh Jain	TI-34913A	2773
23494	7590	05/31/2006	EXAMINER	
TEXAS INSTRUMENTS INCORPORATED			BLUM, DAVID S	
P O BOX 655474, M/S 3999			ART UNIT	
DALLAS, TX 75265			PAPER NUMBER	

2813

DATE MAILED: 05/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Supplemental Examiner's Answer

1. Responsive to the reply brief filed on 5/22/06, a supplemental Examiner's Answer is set forth below:

The appellant argues that Mayur does not teach the claimed time and temperature of 1050-1350 degrees C at 0.5-3 milliseconds. However, the appellant also points to Mayur teaching (in paragraph 0007) a duration of less than 50 milliseconds and by example times of 50 nanoseconds. It is clear by the appellant's own arguments that Mayur teaches times greater and less than the claimed time, thus Mayer teaches a range that encompasses the range of the claimed invention.

Regarding the temperature, the appellant argues that "The claimed ultra high temperature of the anneal range is higher than any temperature suggested by Mayer...". Mayur teaches a minimum temperature of 1300 K (1027 degrees C) and that is suggestive of 1050 C (23 degrees difference. In re Geisler, 116 F.3d 1465,1469-71,43 USPQ2d 1362,1365-66 (Fed.Cir. 1997) (Claim reciting thickness of a protective layer within a range of "50-100 Angstroms" considered prima facie obvious in view of prior art reference teaching "for suitable protection, the thickness of the protective layer should be not less than about 10 nm (100 Angstroms). Certainly greater than 1027 degrees is prima facie obvious to include 1050 degrees.

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Appellant may file another reply brief in compliance with 37 CFR 41.41 within two months of the date of mailing of this supplemental examiner's answer. Extensions of time under 37 CFR 1.136(a) are not applicable to this two month time period. See 37 CFR 41.43(b)-(c).

A Technology Center Director or designee has approved this supplemental examiner's answer by signing below:



Georgia Epps, Designee